

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 1:15-CR-048
)	
vs.)	
)	
BEAU CROGHAN,)	DEFENDANT’S MOTION TO
)	CONTINUE TRIAL AND TO
)	EXTEND PRETRIAL MOTIONS
)	DEADLINES
Defendant.)	

COMES NOW, Defendant, Beau Croghan, through counsel, and moves for a continuance of the trial date and an extension of the pretrial motions deadline. In support of said motion, counsel states:

1. The defendant is charged with Access or Attempt to Access Child Pornography, a violation of Title 18 U.S.C. §§ 2252A(a)(5)(B).
2. Trial is currently scheduled for June 13, 2016.
3. This case involves complicated computer forensics and computer communications over the internet involving several federal jurisdictions.
4. There is a recent opinion dated April 20, 2016, from the Federal District of Massachusetts (*U.S. v Levin*, 15-10271) which may establish grounds to challenge a search warrant that allowed law enforcement access to incriminating evidence against the defendant.
5. Counsel needs additional time to research and prepare a motion to suppress based on said opinion.
6. Counsel has conferred with Richard Rothrock, the AUSA prosecuting this case, and he does not oppose this motion.

7. Because the ends of justice served by granting this continuance outweigh the best interest of the public and the defendant in a speedy trial, the period would be excludable for speedy trial purposes.

WHEREFORE, counsel for the defendant respectfully requests a continuance to the first trial period in July, 2016 and for an extension of the pretrial motions deadline.

/s/ Michael L. Smart
MICHAEL L. SMART
ATTORNEY FOR DEFENDANT

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CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2016, I electronically filed this document with the Clerk of Court using the ECF system which will serve it on the appropriate parties.

/s/ Eliza Briggs, Paralegal

cc via ECF: AUSA